

03/03/2004 15:52 FAX 202 942 8484

HALE & DORR

4055  
4034

## EXHIBIT E

COPY

PAGE 55/80 \* RCVD AT 3/3/2004 3:43:39 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/24 \* DNIS:2730841 \* CSID:202 942 8484 \* DURATION (mm:ss):17-14

**BRIGHTLINE** PHARMACY  
BRIGHTLINE PHARMACEUTICALS

Rita Charles  
BioMarin Pharmaceutical, Inc.  
Intellectual Property  
Biotechnology Specialist  
11 Pimentel Court  
Novato, Calif 94949

SEP 8 - 2003  
RECEIVED

PAGE 56/80 \* RCVD AT 3/3/2004 3:43:39 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/24 \* DNI:2730841 \* CSID:202 942 8484 \* DURATION (mm:ss):17:14

**COPY**

BIO-MARIN<sup>TM</sup>  
PHARMACEUTICAL INC

August 29, 2003

~~Brigitte Groulx  
c/o Biochem Pharma  
Cancer Biology Dept.  
275 Armand Frappier  
Laval, QC H7V 4A7  
Tel: 450-978-7903~~

*left Luisa Bigornia  
May 2001*

Re: U.S. Patent Application No. 08/722,659  
Title: Use of Heparinase to Decrease Inflammatory  
Response  
Inventors: Bennett *et al.*  
Filed: September 27, 1996  
Our reference No.: 104385.140

Dear Brigitte,

In furtherance of our prosecution of the above named patent, please sign the enclosed Declaration in blue ink and return it to me as soon as possible.

A return envelope is provided for your convenience.

If you have any questions regarding your Declaration or the present proceedings in the U.S. Patent and Trademark Office, please feel free to contact me directly at 415-884-6709 or lbigornia@bmrn.com.

Sincerely,

*Luisa Bigornia*

Luisa Bigornia Ph.D., Esq.

COPY

Attorney Docket No. 104385.140

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
BENNETT *et al.* ) Group Art Unit: 1644  
)  
Serial No.: 08/722,659 ) Examiner: A. DeCloux  
)  
Filed: September 27, 1996 )  
)  
For: USE OF HEPARINASE TO DECREASE INFLAMMATORY RESPONSE

Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION UNDER 37 C.F.R. § 1.132**  
**OF BRIGETTE GROUIX**

I, Brigitte Grouix, do hereby declare that:

1. I am a joint inventor of the subject matter claimed in the above-identified application, along with Elizabeth Cauchon, Dominique Fink, Ariane Hsia, Joseph Zimmermann, D. Clark Bennett, and Pamela Danagher.
2. I am informed and believe that U.S. Patent No. 5,997,863 ("the '863 patent"), a copy of which is attached as Exhibit A, has been cited against the claims of the above-identified application. In particular, I am informed and believe that Example 8 found at col. 17, line 63-col. 18, line 29 has been cited against the above-captioned application in a prior art rejection.
3. While I am a co-inventor of the above-captioned application, I did not make an inventive contribution to the subject matter recited in paragraph 2. In particular, I was not involved in the animal model work described in Example 8 involving the local administration of heparinase to enhance revascularization, described generally at col. 17, line 63-col. 18, line 29.
4. The undersigned declares further that all statements made herein of my own

**COPY**

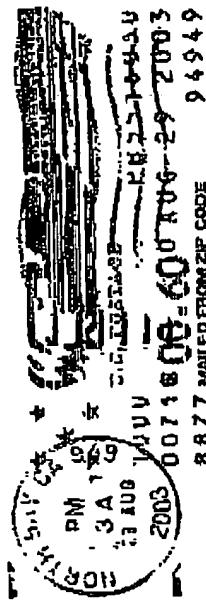
( ) ( )

knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing therefrom.

Signed at \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

Brigette Grouix

COPY



Ariane Hassa  
c/o RIV LTD.  
22 West  
Toronto,  
Ontario,  
Canada  
M5J 1M2

MOVED / DÉPLACÉ / DÉPLACÉ / INCONNU  
RETURN TO SENDER  
REVOIR A L'EXPÉDITEUR  
CA 94949  
USA

001/2

Luisa Bigornia  
BIOIMARIN  
PHARMACEUTICALS  
871 Bel Marin Keys Boulevard  
Suite 210 • Novato, CA 94949

COPY



August 29, 2003

Ariane Hsia  
c/o RIV LTD.  
22 Wellesley St. East  
Toronto, Ontario  
M4Y 1Y3

Re: U.S. Patent Application No. 08/722,659  
Title: Use of Heparinase to Decrease Inflammatory  
Response  
Inventors: Bennett *et al.*  
Filed: September 27, 1996  
Our reference No.: 104385.140

Dear Ariane,

In furtherance of our prosecution of the above named patent, please sign the enclosed Declaration in blue ink and return it to me as soon as possible.

A return envelope is provided for your convenience.

If you have any questions regarding your Declaration or the present proceedings in the U.S. Patent and Trademark Office, please feel free to contact me directly at 415-884-6709 or lbigornia@bmrn.com.

Sincerely,

A handwritten signature in cursive ink that appears to read "Luisa Bigornia".

Luisa Bigornia Ph.D., Esq.

LSB/rvc

COPY

Attorney Docket No. 104385.140

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
BENNETT *et al.* ) Group Art Unit: 1644  
)  
Serial No.: 08/722,659 ) Examiner: A. DeCloux  
)  
Filed: September 27, 1996 )  
)  
For: USE OF HEPARINASE TO DECREASE INFLAMMATORY RESPONSE

Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION UNDER 37 C.F.R. § 1.132**  
**OF ARIANE HSIA**

I, Ariane Hsia, do hereby declare that:

1. I am a joint inventor of the subject matter claimed in the above-identified application, along with Elizabeth Cauchon, Dominique Fink, Brigitte Grouix, Joseph Zimmermann, D. Clark Bennett, and Pamela Danagher.
2. I am informed and believe that U.S. Patent No. 5,997,863 ("the '863 patent"), a copy of which is attached as Exhibit A, has been cited against the claims of the above-identified application. In particular, I am informed and believe that Example 8 found at col. 17, line 63-col. 18, line 29 has been cited against the above-captioned application in a prior art rejection.
3. While I am a co-inventor of the above-captioned application, I did not make an inventive contribution to the subject matter recited in paragraph 2. In particular, I was not involved in the animal model work described in Example 8 involving the local administration of heparinase to enhance revascularization, described generally at col. 17, line 63-col. 18, line 29.
4. The undersigned declares further that all statements made herein of my own

**COPY**

( ) ( )

knowledg are true and that all statements made on inf rmation and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing therefrom.

Signed at \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

Ariane Hsia

COPY



Rita Charles  
BioMarin Pharmaceutical, Inc.  
Intellectual Property  
Biotechnology Specialist  
111 Pimentel Court  
Novato, Calif 94949

**BIO-MARIN**  
PHARMACEUTICALS  
3718 S. Marin Keys Boulevard  
Suite 210 • Novato, CA 94948

A rectangular logo with a black border. The words "Airmail" and "Par avion" are written in a white, sans-serif font, stacked vertically along the right edge of the rectangle.

卷之三

卷之三

COPY



August 29, 2003

Ms. Dominique Fink  
4632 rue Chambord  
Montreal, Quebec  
H2J 3M7

Re: U.S. Patent Application No. 08/722,659  
Title: Use of Heparinase to Decrease Inflammatory  
Response  
Inventors: Bennett *et al*  
Filed: September 27, 1996  
Our reference No.: 104385.140

Dear Ms. Fink,

In furtherance of our prosecution of the above named patent, please sign the enclosed Declaration in blue ink and return it to me as soon as possible.

A return envelope is provided for your convenience.

If you have any questions regarding your Declaration or the present proceedings in the U.S. Patent and Trademark Office, please feel free to contact me directly at 415-884-6709 or [Bigornia@bmrn.com](mailto:Bigornia@bmrn.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Luisa Bigornia".

Luisa Bigornia Ph.D., Esq.

LSB/rvc

COPY

Attorney Docket No. 104385.140

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
BENNETT *et al.* ) Group Art Unit: 1644  
)  
Serial No.: 08/722,659 ) Examiner: A. DeCloux  
)  
Filed: September 27, 1996 )  
)  
For: USE OF HEPARINASE TO DECREASE INFLAMMATORY RESPONSE

Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION UNDER 37 C.F.R. § 1.132**  
**OF DOMINIQUE FINK**

I, Dominique Fink, do hereby declare that:

1. I am a joint inventor of the subject matter claimed in the above-identified application, along with Elizabeth Cauchon, Brigitte Grouix, Ariane Hsia, Joseph Zimmermann, D. Clark Bennett, and Pamela Danagher.
2. I am informed and believe that U.S. Patent No. 5,997,863 ("the '863 patent"), a copy of which is attached as Exhibit A, has been cited against the claims of the above-identified application. In particular, I am informed and believe that Example 8 found at col. 17, line 63-col. 18, line 29 has been cited against the above-captioned application in a prior art rejection.
3. While I am a co-inventor of the above-captioned application, I did not make an inventive contribution to the subject matter recited in paragraph 2. In particular, I was not involved in the animal model work described in Example 8 involving the local administration of heparinase to enhance revascularization, described generally at col. 17, line 63-col. 18, line 29.
4. The undersigned declares further that all statements made herein of my own

**COPY**

knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing therefrom.

Signed at \_\_\_\_\_

Dominique Fink

this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

COPY



August 29, 2003

Ms. Dominique Fink  
4632 rue Chambord  
Montreal, Quebec  
H2J 3M7

Re: U.S. Patent Application No. 08/722,659  
Title: Use of Heparinase to Decrease Inflammatory  
Response  
Inventors: Bennett *et al*  
Filed: September 27, 1996  
Our reference No.: 104385.140

Dear Ms. Fink,

In furtherance of our prosecution of the above named patent, please sign the enclosed Declaration in blue ink and return it to me as soon as possible.

A return envelope is provided for your convenience.

If you have any questions regarding your Declaration or the present proceedings in the U.S. Patent and Trademark Office, please feel free to contact me directly at 415-884-6709 or [lbigornia@bmrn.com](mailto:lbigornia@bmrn.com).

Sincerely,

Luisa Bigornia Ph.D., Esq.

LSB/rvc

COPY